

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

WESLEY MCANALLY on
Behalf of Himself and All Others
Similarly Situated,

Plaintiff,

V.

ELITE FIBER, LLC, JOHN MUSCHALEK,
and LINDA MUSCHALEK,

Defendants.

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SA-24-CV-1393-JKP

INITIAL SCHEDULING ORDER

The matter before the Court is the status of this case in which Plaintiff asserts claims on behalf of himself and other similarly-situated individuals under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201, *et seq.* (Docket Entry 1.) Pretrial and scheduling matters have been referred to the undersigned pursuant to 28 U.S.C. § 636(b). (*See* Docket Entry 5.)

In accordance with the Court's ruling at the Initial Pretrial Conference held on today's date, it is hereby **ORDERED** that the following dates are entered:

1. On or before **June 20, 2025**, the parties must submit a Joint Report indicating their agreement regarding a method of ADR, an ADR provider, the method of compensating the provider, and a date for completing the ADR proceeding, no later than the date set out in Paragraph 3 below. *See* Local Rule CV-88(a).
2. On or before **August 22, 2025**, the parties must complete discovery concerning the propriety of issuance of notice of a FLSA collective action.
3. Parties must complete the agreed mediation or other ADR proceeding **September 8, 2025**. At the conclusion of any ADR proceeding, a report must be filed with the Court. *See* Local Rule CV-88(g).
4. On or before **September 22, 2025**, Plaintiff must file a motion for issuance of notice of a FLSA collective action. Defendant's response to Plaintiff's motion must be filed on or before **October 14, 2025**, and Plaintiff's reply must be filed on or before **October 24, 2025**.

5. **Within fifteen (15) days** of the date of the Court's ruling on any motion filed under Paragraph (4), the parties must confer and submit a Joint Advisory recommending subsequent deadlines to be entered in the case.

SIGNED on May 21, 2025.

A handwritten signature in black ink, appearing to read "Henry J. Bemporad", written in a cursive style.

Henry J. Bemporad
United States Magistrate Judge